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APR 14 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. 09/905,716
Amendment Date: April 14, 2005
Applicant: FREDRIC JOEL HARRIS
Filed: May 9, 2001
TC/A.U. 2634
Examiner: Lawrence B. Williams
For: NON-RECURSIVE RESAMPLING DIGITAL FILTER STRUCTURE
FOR DEMODULATING 3G CELLULAR SIGNALS
Docket No. HA-0108

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT

Sir:

This Amendment is submitted in response to the receipt of two identical copies of a Notice of Non-Compliance dated April 5, 2005 and to provide a corrected copy of the Amendment dated February 17, 2005 filed in reply to the Official Action dated November 17, 2004.

It appears the Amendment filed 2/17/05 by FAX was "smudged" and not legible when received by the USPTO. The USPTO acknowledged receipt of this Amendment by FAX to Applicant's Attorney of a Cover Page indicating 10 total pages received, without any indication of "smudged" or illegible pages of the Amendment. It is inconceivable that an Applicant should be subjected to a charge of "Non-compliance" when the fault lies with personnel and machinery of the USPTO.

Appln. No. 09/905,716

Amendment Date: April 14, 2005

Reply to Office Action of November 17, 2004

Page 2

An Amendment was filed erroneously in this case by FAX on January 18, 2005, bearing the instant application number 09/905,716, purporting to answer the official action of this case mailed November 17, 2004. The aforementioned amendment should have been numbered 09/905,717 in answer to the official action of November 18, 2004. Applicant's attorney, after discovering this error, prepared and filed by FAX a later amendment with the correct serial number in application 09/905,717 and received confirmation thereof from the USPTO.

Under these circumstances, Applicant respectfully requests that the erroneous amendment filed herein on January 18, 2005 be withdrawn and the present Amendment be substituted therefor. Applicant's attorney regrets this mix-up and asks for the Examiner's indulgence in this regard.

Please amend the subject application as follows:

Amendments to the Specification begin on page 3 of this document.

Amendments to the Abstract begin on page 4 of this document.

Amendments to the Claims are reflected in the listing of claims that begins on page 5 of this document.